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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/484,844	01/18/2000	Hassan Y. Elnagar	SU-7152	1182

7590 02/21/2002

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EXAMINER

HIGEL, FLOYD D

ART UNIT	PAPER NUMBER
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1626

DATE MAILED: 02/21/2002

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Please find below and/or attached an Office communication concerning this application or proceeding.



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This is a communication from the examiner in charge of your application.  
COMMISSIONER OF PATENTS AND TRADEMARKS

### OFFICE ACTION SUMMARY

- ☒ Responsive to communication(s) filed on September 34, 2001 and January 15, 2002  
☒ This action is FINAL.

- ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 D.C. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire THREE month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

#### Disposition of Claims

- ☒ Claim(s) 1 TO 131 is/are pending in the application.  
Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
☐ Claim(s) \_\_\_\_\_ is/are allowed.  
☒ Claim(s) 1 TO 131 is/are rejected.  
☐ Claim(s) \_\_\_\_\_ is/are objected to.  
☐ Claim(s) \_\_\_\_\_ are subject to restriction or election requirement.

#### Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.  
☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.  
☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.  
☐ The specification is objected to by the Examiner.  
☐ The oath or declaration is objected to by the Examiner.

#### Priority under 35 U.S.C. § 119

- ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).  
☐ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been  
☐ received.  
☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_  
☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

- ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e).

#### Attachment(s)

- ☐ Notice of Reference Cited, PTO-892  
☒ Information Disclosure Statement(s), PTO-1449, Paper No(s) 9  
☐ Interview Summary, PTO-413  
☐ Notice of Draftsperson's Patent Drawing Review, PTO-948  
☐ Notice of Informal Patent Application, PTO-152

--SEE OFFICE ACTION ON THE FOLLOWING PAGES--

Art Unit: 1626

Claims 1 to 131 are again rejected under 35 USC 112, second paragraph, for the reasons given in the last Office action. Applicants' arguments have been carefully considered but are not deemed persuasive. The terms and expressions are not perfectly clear. To overcome the rejection with respect to "and/or" the expression "a brominating agent and/or a chlorinating agent" should be changed to a brominating agent, a chlorinating agent or both. With respect to the other term and expression the claims should recite the oxidizing agent and any necessary reaction conditions.

Claims 1 to 131 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rogers I or II or Paterson I or III or Wolf et al or Waugh et al. III or Cole or Girard et al I or II or Puzingorhee et al or Bhattacharya or Jolles, of record, for the reasons of record.

Applicants' arguments have been carefully considered but are not persuasive. The references just like the claimed process are drawn to the N-halo-genation of compounds having at least one N-halogenatable amido or imido nitrogen by reacting such a compound with a halogenating agent in the presence of an inorganic base and water within the pH range recited in the claims. No showing of any unobvious or unexpected results has been forth coming. Note, for example, Example 2 of Rogers I and Examples 1 and 2 of Paterson I. Again no showing of any unobvious or unexpected results has been forthcoming.

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO**

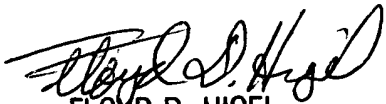
Art Unit: 1626

MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication should be directed to Floyd. D. Higel at telephone number (703) -308-4530.

Higel/LR

October 19, 2001

  
FLOYD D. HIGEL  
PATENT PRIMARY EXAMINER  
ART UNIT ~~128~~ 1626